

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE GROSSMAN’S, INC. et al.,)	Chapter 11
)	
Debtors.)	Case No. 97-695 (PJW)
)	97-696 (PJW)
)	97-697 (PJW)
)	
JELD-WEN, INC., f/k/a Grossman’s Inc.,)	
)	
Plaintiff,)	
)	Adv. Pro. No. 07-51602 (PJW)
v.)	
)	
MARY VAN BRUNT and)	
GORDAN VAN BRUNT,)	
)	
Defendants.)	
)	

**APPELLEE’S COUNTER-DESIGNATION OF RECORD
ON APPEAL PURSUANT TO FED. R. BANKR. P. 8006**

Pursuant to Federal Rule of Bankruptcy Procedure 8006, Mary Van Brunt and Gordan Van Brunt (the “Van Brunts”), as defendants in the above captioned adversary proceeding, respectfully submit, by and through their undersigned counsel, their counter-designation of record on appeal to the United States District Court for the District of Delaware, with respect to (1) the Findings of Fact and Conclusions of Law (Adv. Dkt. No. 49), and (2) the Judgment Order (Adv. Dkt. No. 50), both entered by the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

On June 16, 2008, JELD-WEN, inc. f/k/a Gorssman’s Inc. (“JELD-WEN”) filed a Notice of Appeal regarding the Findings of Fact and Conclusions of Law and the Judgment Order (Adv. Dkt. No. 51). On June 23, 2008, JELD-WEN filed its Statement

of Issues and Designation of Items to be Included in Record on Appeal by Appellant (the “JELD-WEN Designation”) (Adv. Dkt. No. 53).

The Van Brunts respectfully submit this counter-designation in response to the JELD-WEN Designation.

A. COUNTER-DESIGNATION OF DOCUMENTS TO BE INCLUDED IN THE RECORD ON APPEAL

The Van Brunts submit the following items from Adversary Proceeding No. 07-51602 in Bankruptcy Case No. 97-00695 for inclusion in the record on appeal in addition to the items set forth in the JELD-WEN Designation¹:

No.	Entered On	Docket No.	Description
1.	2/15/2008	22	Motion of Defendants for Summary Judgment
2.	2/29/2008	32	Defendants’ Response to JELD-WEN, inc.’s Motion for Summary Judgment Pursuant to Fed. R. Bankr. P. 7056 (b) and Fed. R. Civ. P. 56(b)
3.	3/07/2008	33	Defendants’ Reply to Answering Brief of JELD-WEN, inc. in Opposition to Motion of Defendants for Summary Judgment
4.	4/18/2008	44	[Proposed] Findings of Fact and Conclusions of Law
5.	5/02/2008	45	Response to JELD-WEN, inc.’s Proposed Findings of Fact and Conclusions of Law
6.	6/09/2008	49	Court’s Findings of Fact and Conclusions of Law

¹ Each of the documents designated herein to be included in the record on appeal includes all exhibits, schedules and other attachment to such documents.

B. VAN BRUNTS' EXHIBITS OFFERED AND ADMITTED AT TRIAL

**DEFENDANTS'
TRIAL
EXHIBIT NO.**

DESCRIPTION OF EVIDENCE

1. Defendants' Supplemental Interrogatories to Plaintiff and Plaintiff's Responses and Objections Thereto
4. Plaintiffs' Responses to Defendants' First Set of Interrogatories and Requests for Production of Documents dated July 3, 2007

Dated: June 25, 2008
Wilmington, Delaware

Respectfully submitted,

/s/ Daniel K. Hogan

Daniel K. Hogan (De. Bar No. 2814)

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